

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Christopher S. Burgey, et al. | | |
| Patent No.: | 7,491,713 | | |
| Issued: | February 17, 2009 | | |
| Serial No.: | 10/587,121 | Case No.: | 21379YP |
| Filed: | January 25, 2005 | | |
| For: | CGRP RECEPTOR ANTAGONISTS | | |

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.323

Sir:

There are clerical errors in this patent which occurred through the fault of the applicant. Pursuant to 37 C.F.R. § 1.323, applicants respectfully request that the PTO issue a certificate of correction for this patent.

The errors in this patent are in claim 1, at column 87, lines 31 to 49; in claim 8, at col. 93, line 67, col. 95, lines 25-49, and col. 97, lines 42-60. The errors were present in applicant's Amendment Under 37 C.F.R. § 1.111, mailed June 18, 2009. In the Amendment, the definitions of "heteroaryl" and "heterocycle" were inadvertently transposed, so that the specification definition of "heteroaryl" was used to define "heterocycle."

As corrected at columns 87 and 97, "heterocycle" is defined in independent claims 1 and 8 as:

a stable 5- to 7- membered monocyclic- or stable 8- to 11-membered bicyclic heterocyclic ring system which is either saturated or unsaturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be quaternized, and including any bicyclic group in which any of the above-defined heterocyclic rings is fused to a benzene ring

and "heteroaryl" is defined in independent claims 1 and 8 as:

a stable 5- to 7- membered monocyclic- or stable 9- to 10-membered fused bicyclic heterocyclic ring system which contains an aromatic ring, any ring of which may be saturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be oxidized, and the nitrogen heteroatom may optionally be quaternized, and including any bicyclic group in which any of the above-defined heterocyclic rings is fused to a benzene ring

Minor clerical errors in subscripts and superscripts are corrected at column 93, line 67, and column 95, lines 25 to 49.

Correction of these errors would not involve new matter.

Attached hereto are two copies of form PTO-1050, with at least one copy suitable for printing. The form is being submitted to correct the aforementioned error on the cover page of the patent.

Issuance of the certificate of correction is respectfully requested. Please send the certificate to the undersigned at:

MERCK & CO., INC.
P. O. Box 2000 (RY60-30)
Rahway, New Jersey 07065

The fee due for this request for certificate of correction under 37 C.F.R. § 1.20(a), should be charged to Deposit Account No. 13-2755.

Favorable action is earnestly solicited.

Respectfully submitted,

By /John C. Todaro/
John C. Todaro
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MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-0125

Date: August 19, 2009

(Also Form PTO-1050)

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.: 7,491,713

APPLICATION NO.: 10/587,121

ISSUE DATE: February 17, 2009

INVENTORS: Christopher S. Burgey, et al.

It is certified that errors appear in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

Please delete text at col. 87, lines 31 to 49, and replace with:

wherein "heterocyclic" means a stable 5- to 7-membered monocyclic- or stable 8- to 11-membered bicyclic heterocyclic ring system which is either saturated or unsaturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be quaternized, and including any bicyclic group in which any of the above-defined heterocyclic rings is fused to a benzene ring;

and "heteroaryl" means a stable 5- to 7-membered monocyclic- or stable 9- to 10-membered fused bicyclic heterocyclic ring system which contains an aromatic ring, any ring of which may be saturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be oxidized, and the nitrogen heteroatom may optionally be quaternized, and including any bicyclic group in which any of the above-defined heterocyclic rings is fused to a benzene ring; and

Please delete text at col. 93, line 67, and replace with:

i) $\text{O}(\text{CH}_2)_n\text{OR}^1$,

Please delete text at col. 95, lines 25 to 49, and replace with:

- (iii) $-\text{O}-\text{C}_{1-6}\text{alkyl}$,
- (iv) $-\text{C}_{3-6}\text{cycloalkyl}$,
- (v) $-\text{COR}^{10}$,
- (vi) $-\text{CO}_2\text{R}^{10}$,
- (vii) $-\text{NR}^{10}\text{R}^{11}$,
- (viii) $-\text{SO}_2\text{R}^{10}$,
- (ix) $-\text{CONR}^{10}\text{R}^{11}$, and
- (x) $-(\text{NR}^{10})\text{CO}_2\text{R}^{11}$,
- (b) $-\text{SO}_2\text{NR}^{10}\text{R}^{11}$,
- (c) halo,
- (d) $-\text{SO}_2\text{R}^{10}$,
- (e) hydroxy,
- (f) $-\text{O}-\text{C}_{1-6}\text{alkyl}$, which is unsubstituted or substituted with 1-5 halo,
- (g) $-\text{CN}$
- (h) $-\text{COR}^{10}$,

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Merck & Co., Inc.
Patent Dept., RY60-30
P.O. BOX 2000
Rahway, NJ 07065-0907

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CERTIFICATE OF CORRECTION

PATENT NO: 7,491,713
APPLICATION NO.: 10/587,121
ISSUE DATE: February 17, 2009
INVENTORS: Christopher S. Burgey, et al.

It is certified that error appears in the above-identified patent and that said Letters Patent are hereby corrected as shown below:

CONTINUED:

- (i) $-NR^{10}R^{11}$,
- (j) $-CONR^{10}R^{11}$,
- (k) $-CO_2R^{10}$,
- (l) $-(NR^{10})CO_2R^{11}$,
- (m) $-O(CO)NR^{10}R^{11}$,
- (n) $-(NR^4)(CO)NR^{10}R^{11}$, and

Please delete text at col. 97, lines 42 to 60, and replace with:

wherein "heterocycle" means a stable 5- to 7-membered monocyclic- or stable 8- to 11-membered bicyclic heterocyclic ring system which is either saturated or unsaturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be quaternized, and including any bicyclic group in which any of the above-identified heterocyclic rings is fused to a benzene ring;

and "heteroaryl" means a stable 5- to 7-membered monocyclic- or stable 9- to 10-membered fused bicyclic heterocyclic ring system which contains an aromatic ring, any ring of which may be saturated, and which consists of carbon atoms and from one to four heteroatoms selected from the group consisting of N, O and S, and wherein the nitrogen and sulfur atoms may optionally be oxidized, and the nitrogen heteroatom may optionally be quaternized, and including any bicyclic group in which any of the above-defined heterocyclic rings is fused to a benzene ring; and

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